

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*

Debtors.¹

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

COMMONWEALTH OF PUERTO RICO,

Movant,

v.

BELFOR USA GROUP, INC., dba BELFOR
PROPERTY RESTORATION,

Respondent.

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

Re: ECF Nos. 23222 and 23864

**URGENT CONSENSUAL MOTION FOR EXTENSION OF
DEADLINES REGARDING BELFOR USA GROUP, INC., DBA
BELFOR PROPERTY RESTORATION'S MOTION FOR ALLOWANCE AND
PAYMENT OF ADMINISTRATIVE EXPENSE CLAIM IN THE SUM OF \$71,760.95**

To The Honorable United States District Court Judge Laura Taylor Swain:

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico ("Commonwealth") (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

The Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as sole representative of the Commonwealth of Puerto Rico (“Commonwealth” or the “Debtor”) in this Title III case pursuant to section 315(b) of the *Puerto Rico Oversight, Management and Economic Stability Act* (“PROMESA”),² respectfully submits this urgent motion for an order extending the briefing schedule related to the *Belfor USA Group, Inc., dba Belfor Property Restoration’s Motion for Allowance and Payment of Administrative Expense Claim in the Sum of \$71,760.95* [ECF No. 23222] (the “Motion”) and represents as follows:

REQUEST FOR RELIEF

1. On January 10, 2023, Belfor USA Group, Inc., dba “Belfor Property Restoration” (the “Movant”), filed the Motion, seeking payment of certain asserted administrative expenses, as described further in the Motion.

2. Pursuant to the *Order Granting Urgent Consensual Motion for Extension of Deadlines Regarding Belfor USA Group, Inc., dba Belfor Property Restoration’s Motion for Allowance and Payment of Administrative Expense Claim in the Sum of \$71,760.95* [ECF No. 23864] (the “Scheduling Order”), the deadline for parties to file an opposition to the Motion is April 20, 2023 at 5:00 p.m. (AST) (the “Objection Deadline”) and the deadline for Movant to file a reply to all oppositions and responses is April 27, 2023 at 5:00 p.m. (AST) (the “Reply Deadline”), with the Motion to be taken under submission without a hearing.

3. The Commonwealth continues to analyze its books and records in an attempt to reconcile the assertions in the Motion but has not completed its analysis. The Debtor therefore submits this Urgent Motion to request an extension of the Objection Deadline and Reply Deadline

² PROMESA is codified at 48 U.S.C §§ 2101-2241.

to permit the Commonwealth to complete its assessment. Movant has been informed of and has no objection to the extension requested herein. Accordingly, with the Movant's consent, the Debtor respectfully requests that the Court enter an order, substantially in the form attached hereto as **Exhibit A** (the "Proposed Order"), extending the Objection Deadline and Reply Deadline to **May 18, 2023 at 5:00 p.m. (prevailing Atlantic Time)**, and **May 25, 2023 at 5:00 p.m. (prevailing Atlantic Time)**, respectively.

4. Pursuant to Paragraph I.H of the *Sixteenth Amended Notice, Case Management and Administrative Procedures* [ECF No. 20190-1 in Case No. 17-3283] (the "Case Management Procedures"), the Debtor hereby certifies that it has carefully examined the matter and concluded that there is a true need for an urgent motion; it has not created the urgency through any lack of due diligence; has made a bona fide effort to resolve the matter; has made reasonable, good-faith communications in an effort to resolve or narrow the issues that are being brought to the Court, and no party opposes the relief requested herein.

NOTICE

5. The Commonwealth has provided notice of this Urgent Motion in accordance with the Case Management Procedures to the following parties: (a) the Office of the United States Trustee for the District of Puerto Rico; (b) the Puerto Rico Fiscal Agency and Financial Advisory Authority (AAFAF); (c) counsel for AAFAF; (d) counsel to the statutory committees appointed in these Title III cases; (e) the entities on the list of creditors holding the 20 largest unsecured claims against COFINA; (f) all parties filing a notice of appearance in these Title III cases; and (g) Movant. A copy of the Urgent Motion is also available on the Commonwealth's case website at <https://cases.primeclerk.com/puertorico/>.

6. The Debtor submits that, in light of the nature of the relief requested herein, no other or further notice need be given.

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WHEREFORE the Debtor requests the Court enter the Proposed Order and grant the Debtor such other relief as is deemed just and proper.

Dated: April 20, 2023
San Juan, Puerto Rico

Respectfully submitted,

/s/ Brian S. Rosen

Martin J. Bienenstock
Brian S. Rosen

(Admitted *Pro Hac Vice*)

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CERTIFICATE OF SERVICE

I hereby certify that, on this same date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notifications of such filing to all CM/ECF participants in this case.

/s/ Hermann D. Bauer
Hermann D. Bauer

EXHIBIT A

Proposed Order

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

Re: ECF Nos. 23222 and _____

**[PROPOSED] ORDER GRANTING URGENT CONSENSUAL MOTION FOR
EXTENSION OF DEADLINES REGARDING BELFOR USA GROUP, INC., DBA
BELFOR PROPERTY RESTORATION'S MOTION FOR ALLOWANCE AND
PAYMENT OF ADMINISTRATIVE EXPENSE CLAIM IN THE SUM OF \$71,760.95**

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico ("Commonwealth") (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Upon the *Urgent Consensual Motion for Extension of Deadlines Regarding Belfor USA Group, Inc., dba Belfor Property Restoration's Motion for Allowance and Payment of Administrative Expense Claim in the Sum of \$71,760.95* (Docket Entry No. ____ in Case No. 17-3283, the "*Urgent Motion*");² and the Court having found it has subject-matter jurisdiction over this matter pursuant to PROMESA section 306(a); and it appearing that venue in this district is proper pursuant to PROMESA section 307(a); and the Court having found the Debtor provided adequate and appropriate notice of the Urgent Motion under the circumstances and no other or further notice is required; and upon the record herein, after due deliberation thereon, the Court having found good and sufficient cause exists for the granting of the relief as set forth herein:

1. The Urgent Motion is **GRANTED** as set forth herein.
2. The Scheduling Order shall be modified as provided herein.
3. The following briefing schedule is shall apply for filing responsive pleadings to the Motion:
 - The deadline for parties to file an opposition to the Motion shall be **May 18, 2023 at 5:00 p.m. (Atlantic Standard Time)**.
 - The deadline for the Movant to file a reply to all oppositions and responses shall be **May 25, 2023 at 5:00 p.m. (Atlantic Standard Time)**.
4. The Court will thereafter take the Motion on submission.
5. The Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

² Capitalized terms not otherwise defined herein shall have the meanings given to them in the Urgent Motion.

6. This Order resolves Docket Entry No. _____ in Case No. 17-3283.

Dated: _____, 2023.

SO ORDERED:

HONORABLE LAURA TAYLOR SWAIN
United States District Judge